

REMARKS

In the non-final Office Action mailed September 16, 2010, the Office noted that claims 21-32 and 34-39 were pending and rejected claims 21-32 and 34-39. In this amendment claims 21, 22, 28 and 34 have been amended, no claim has been canceled, and, thus, in view of the foregoing, claims 21-32 and 34-39 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

EXAMINER INTERVIEWS

The undersigned wishes to thank the Examiner for interviewing this application on November 9, 2010 and again on January 26, 2011. At the first interview the prior art of Fangman and Hughes was discussed. In particular, the fact that the IP telephone of Fangman was not the network device of the claims and that Hughes teaches away from combination. No agreement was reached.

At the interview of January 26, 2011, Mr. Simon Gamble, a principal of the assignee, gave an overview of the invention and stressed its differences over the prior art. The Examiner stressed his view of the prior art and how he viewed the art. Possible amendments were discussed; however, no agreement was reached.

REJECTIONS under 35 U.S.C. § 103

Claims 21-29 stand rejected under 35 U.S.C. § 103(a) as being obvious over Fangman, U.S. Patent No. 6,687,245 in view of Hughes, U.S. Patent No. 6,854,009. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Fangman discusses a system for creating an operational environment for IP Telephones to operate.

Hughes discusses a network with multiple servers and multiple distributed client devices each with an operating system. At boot the client connects to one of the servers by whatever means possible and downloads a base operating system and some applications without any user accessible setup. The client may be a thin client, to the extent that there is no hard disk - but there may be flash memory. If there is not, then this ensures that the base operating system must be reloaded each time.

The Applicants have amended claim 21 to recite "providing a verification authority connected to the internet remote from the two or more network devices and ***remote from an internet service provider providing an internet connection to each of the two or more network devices, the verification authority*** verifying the identity of the two or more internet network devices; providing a configuration server connected to

the internet remote from the two or more network devices and **remote from the internet service providing an internet connection to each of the two or more network devices, the configuration server** supplying to each verified internet device the entire configuration data for that verified internet device; providing each of the two or more network devices **free of** provision to permanently store the user configuration data, each of the devices containing configuration information only sufficient to connect the devices to **the** internet service provider to request a first IP address, and using that first IP address to connect to the remote verification authority at a designated internet address, providing within each of the two or more network devices, a routine which securely contacts the remote verification authority, providing the identity of the network device, and using the designated internet address of that remote verification authority, and subsequently downloading from a remote configuration authority authorized by the remote verification authority the entire configuration data each time the device is initialized, for one of the two or more internet network devices, each time that device is initialized, reloading that device with the downloaded configuration data, **each of the two or more network devices creating a private network in a downlink separate from end user devices in the created private network.**" (Emphasis added)

Support for the amendment may be found, for example, in

Fig. 1, network device 101, 102 and 103, end-user device 104, ¶ 0032 wherein it states "a network device consisting of an ADSL connection via a modem 101 to a firewall 102 and router 103" and ¶ 0040 where it states "with the present invention the modem, firewall and router are normally provided as a single equipment item which may also include a hub or switch"; Fig. 2 and ¶ 0039 which states "FIG. 2 shows how the equipment on powering on at 201 ***searches for an internet connection at***, and on detecting one ***sends a particular data stream to the remote verification authority at 202, 203 which detects the identity of the calling equipment***" (emphasis added) as well as ¶¶ 0020; 0025 and 0044 of the printed publication version of the Specification. The Applicants submit that no new matter is believed to have been added by the amendment of the claims.

The Office offer the IP telephones 120A/B of Fangman as disclosing the two or more network devices which do not know their internet address.

However, in the amended claims each of these network devices must be able to create a private network in the downlink. It is submitted that the telephones 120A/B of Fangman do not disclose such a feature.

Further, Fangman and Hughes fail to disclose a verification authority remote from the internet service provider.

Further, the Office asserts on page 4 of the Office Action that after initialization of said IP Phones the entire

configuration is downloaded from the TFTP Server. Steps 402 and 404, Figure 4A; paragraph bridging columns 15 and 16 discloses "subsequently downloading from a remote configuration authority authorized by the remote verification authority the entire configuration data each time the device is initialized, for one of the two or more internet network devices, each time that device is initialized, reloading that device with the downloaded configuration data."

However, step 406 is also part of IP telephone configuration and since this step is performed separately from 402 and 404, thus, the entire configuration is downloaded in a series of steps. This is made clear on col. 16, first full paragraph where it states "In step 406 the Media Gateway Controller (MGC) 150 and the IP telephone 120 may perform IP telephone 120 registration. This may involve registering the IP telephone 120 with the MGC 150, and may include transmitting registration information between the MGC 150 and the IP telephone 120. One embodiment of the IP telephone registration process utilizing the MEGACO standard is described in more detail below with respect to the flowchart of FIGS. 6A, 6B, and 6C."

Further, even if *arguendo* one was to accept that Fangman teaches downloading in a single step, Hughes teaches away from downloading in a single step. Hughes, col. 8, lines 33-37, state "Only files needed to launch the OS's and applications are initially downloaded; **additional OS files and/or program files**

are downloaded later when requested (e.g., invoked by the software in the client during execution of a program)." (Emphasis added) Thus, one of ordinary skill in the art would not have combined Hughes with Fangman as Hughes teaches specifically not to download the **entire** configuration each time there is a configuration or reconfiguration.

For at least the reasons discussed above, Hughes and Fangman, taken separately or in combination, fail to render obvious the features of claims 21 and 28 and the claims dependent therefrom.

Claims 30-32 and 34-39 stand rejected under 35 U.S.C. § 103(a) as being obvious over Fangman in view of Hughes in view of Weldon, U.S. Patent No. 6,366,563. The Applicants respectfully disagree and traverse the rejection with an argument.

Weldon adds nothing to the deficiencies of Fangman and Hughes as applied against the independent claim. For at least the reasons discussed above, Fangman, Hughes and Weldon, taken separately or in combination, fail to render obvious the features of claims 30-32 and 34-39.

Withdrawal of the rejection is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that

claims 21-32 and 34-39 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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